



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

BQ-2

DEC 15 1993

Phillip R. Chisholm, Treasurer
Petroleum Marketers Association
of America Small Businessmen's
Committee
1901 North Fort Myer Dr. Suite 1200
Arlington, VA 22209

Identification Number: C00035204

Reference: October Monthly (9/1/93-9/30/93)

Dear Mr. Chisholm:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Your committee has filed a report that contains financial activity already disclosed on another report. Please amend this report by including only the financial transactions that occurred between September 1, 1993 and September 30, 1993. 2 U.S.C. §434(b)

-Schedule A of your report (pertinent portion(s) attached) discloses a contribution(s) from an organization(s) which is not a political committee registered with the Commission. Under 11 CFR §102.5(b), organizations which are not political committees under the Act must either: 1) establish a separate account which contains only those funds permitted under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If your committee does not finance non-federal activity, the receipt of the referenced contribution(s) may violate the limitations and prohibitions of the Act. (2 U.S.C. §§441m(f) and 441b) If your committee engages in both federal and non-federal activity, either through a separate non-federal account, or one account that finances activity in connection with both federal and non-federal elections, your committee may be in violation of 11 CFR §102.5(a).

Please clarify whether the contribution(s) received from the referenced organization(s) is permissible. To the extent that your committee has received funds which are not permissible, the Commission recommends that you refund the impermissible amount(s) to the donor(s) in accordance with 11 CFR §103.3(b). Alternatively, if you choose to transfer the funds to an account not used to influence federal elections, the Commission advises that you inform the contributor in writing and provide the contributor with the option of receiving a refund. You may wish to seek a written authorization (either before or after the transfer-out) from the donor for any transfer-out to protect the donor's interests.

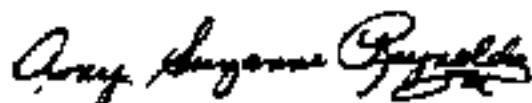
Please inform the Commission immediately in writing and provide a photocopy of your check for the refund or transfer-out. Should you choose to refund or transfer-out the funds, the Commission will presume the funds were impermissible, absent a statement from your committee to the contrary. Refunds and transfers-out should be disclosed on a supporting Schedule B for Line 28 or 22 of the report covering the period during which they are made.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information.

Although the Commission may take further legal steps concerning the acceptance of prohibited contributions, prompt action by your committee in refunding or transferring-out the amounts will be taken into consideration.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 219-3580.

Sincerely,



Amy Suzanne Reynolds
Reports Analyst
Reports Analysis Division

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Any information derived from such Reports and Statements may not be used or cited for any purpose of advancing specific individuals or for advancing any particular cause.

Review of Governmental Law Cases

Petroleum Marketers Association of America's Small Businessmen's Committee

a. Full Name, Mailing Address and ZIP Code		Name of Employer contribution from PMI PAC	Date Imposed (day, year)	Amount of Cash Brought this Period
Petroleum Marketers of Iowa P.O. Box 6040 Des Moines, IA 50309-6040 <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)		Trade association Aggregate Year-to-Date > \$ 3,000.00	8/30/93	\$1,000.00
b. Full Name, Mailing Address and ZIP Code		Name of Employer	Date Imposed (day, year)	Amount of Cash Brought this Period
<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		Organization		
		Aggregate Year-to-Date > \$		
c. Full Name, Mailing Address and ZIP Code		Name of Employer	Date Imposed (day, year)	Amount of Cash Brought this Period
<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		Organization		
		Aggregate Year-to-Date > \$		
d. Full Name, Mailing Address and ZIP Code		Name of Employer	Date Imposed (day, year)	Amount of Cash Brought this Period
<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		Organization		
		Aggregate Year-to-Date > \$		
e. Full Name, Mailing Address and ZIP Code		Name of Employer	Date Imposed (day, year)	Amount of Cash Brought this Period
<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		Organization		
		Aggregate Year-to-Date > \$		
f. Full Name, Mailing Address and ZIP Code		Name of Employer	Date Imposed (day, year)	Amount of Cash Brought this Period
<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		Organization		
		Aggregate Year-to-Date > \$		
g. Full Name, Mailing Address and ZIP Code		Name of Employer	Date Imposed (day, year)	Amount of Cash Brought this Period
<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		Organization		
		Aggregate Year-to-Date > \$		
h. Full Name, Mailing Address and ZIP Code		Name of Employer	Date Imposed (day, year)	Amount of Cash Brought this Period
<input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		Organization		
		Aggregate Year-to-Date > \$		
TOTAL of Returns This Page Imposed				
TOTAL, The Period from page One this Form only				\$1,000.00

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